



General Assembly

February Session, 2002

***Raised Bill No. 92***

LCO No. 607

Referred to Committee on Planning and Development

Introduced by:  
(PD )

***AN ACT CONCERNING ZONING REQUIREMENTS FOR RESIDENTS  
WITH PSYCHIATRIC DISABILITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-3e of the general statutes, as amended by  
2 section 1 of public act 01-161, is repealed and the following is  
3 substituted in lieu thereof (*Effective July 1, 2002*):

4 (a) No zoning regulation shall treat the following in a manner  
5 different from any single family residence: (1) Any community  
6 residence which houses six or fewer mentally retarded persons and  
7 necessary staff persons and which is licensed under the provisions of  
8 section 17a-227, [or] (2) any child-care residential facility which houses  
9 six or fewer children with mental or physical disabilities and necessary  
10 staff persons and which is licensed under sections 17a-145 to 17a-151,  
11 inclusive, or (3) any residence that houses six or fewer persons who  
12 have a psychiatric disability or are in recovery from a substance abuse  
13 disorder and are receiving residential care, treatment or support  
14 services from the Department of Mental Health and Addiction Services  
15 or a community provider under contract with or otherwise approved  
16 by the Department of Mental Health and Addiction Services.

17 (b) Any resident of a municipality in which such a community  
 18 residence or child-care residential facility is located may, with the  
 19 approval of the legislative body of such municipality, petition (1) the  
 20 Commissioner of Mental Retardation to revoke the license of such  
 21 community residence on the grounds that such community residence  
 22 is not in compliance with the provisions of any statute or regulation  
 23 concerning the operation of such residences, or (2) the Commissioner  
 24 of Children and Families to revoke the license of such child-care  
 25 residential facility on the grounds that such child-care residential  
 26 facility is not in compliance with the provision of any general statute  
 27 or regulation concerning the operation of such child-care residential  
 28 facility.

29 Sec. 2. Section 8-3f of the general statutes, as amended by section 2  
 30 of public act 01-161, is repealed and the following is substituted in lieu  
 31 thereof (*Effective July 1, 2002*):

32 (a) No community residence or child-care residential facility  
 33 established pursuant to section 8-3e, as amended by this act, shall be  
 34 established within one thousand feet of any other such community  
 35 residence or child-care residential facility without the approval of the  
 36 body exercising zoning powers within the municipality in which such  
 37 residence is proposed to be established.

38 (b) No residence that houses six or fewer persons who have a  
 39 psychiatric disability or are in recovery from a substance abuse  
 40 disorder and are receiving residential care, treatment or support  
 41 services from the Department of Mental Health and Addiction Services  
 42 or a community provider under contract with or otherwise approved  
 43 by the Department of Mental Health and Addiction Services  
 44 established pursuant to section 8-3e, as amended by this act, shall be  
 45 established within one thousand feet of any other such residence  
 46 without the approval of the body exercising zoning powers within the  
 47 municipality in which such residence is proposed to be established.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>

***Statement of Purpose:***

To modify the application of zoning requirements to residences of persons with psychiatric disabilities or who are in recovery from a substance abuse disorder to make them comparable to requirements for community residences for mentally retarded persons and for children.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*